

MAP 10-4
28
E.D. 2
DATE 1-10-86
COO
ICCD
DP

Linda Gardner, et al
E/S Rolling Rd., 660' N Windsor Blvd.
Dist. (2913 Rolling Rd.) 2nd Dist.
86-326-A

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3.C.1 to permit a side yard setback of 6 feet instead of the required 10 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

- 1) Owner wishes to subdivide property into two lots.
- 2) Baltimore County Regulations require a 20 foot access strip to proposed lot.
- 3) Existing dwelling is 26'± from the southern property line. Thus leaving a 6' side setback instead of the required 10'.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Arney's Telephone No.:
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 3rd day of March, 1986, at 9:30 o'clock.

Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING VARIANCE

2nd Election District

LOCATION: East Side of Rolling Road, 660 feet North of Windsor Boulevard (2913 Rolling Road)

DATE AND TIME: Monday, March 3, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 6 feet in lieu of the required 10 feet.

Being the property of Linda Gardner, et al, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JARLOW
ZONING COMMISSIONER
OF BALTIMORE COUNTY

IN RE: PETITION ZONING VARIANCE
E/S of Rolling Road, 660',
N of Windsor Boulevard
(2913 Rolling Road) -
2nd Election District
Linda Gardner, et al,
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-326-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 6 feet instead of the required 10 feet, as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared and testified. Graden A. Rogers, a registered land surveyor, also testified on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.5.5 and containing 0.7 acres, is located on Rolling Road near Windsor Boulevard and is improved with a dwelling. The Petitioners propose to subdivide the property into two lots, i.e., one to the rear of the other. Access to the rear lot will be provided by a 20-foot-wide fee simple access drive, the minimum width permitted by the County's design standard. Lot 1 will measure approximately 63' x 170' x 54' x 170' and the access drive will adjoin its south property line. Since the access drive will usurp the required land area, the existing house, which is located on Lot 1 and fronts on Rolling Road, will need a side yard variance to the south property line. Without the variance, the property cannot be subdivided.

The Petitioners seek relief from Section 1B02.3.C.1, pursuant to Section 307 Baltimore County Zoning Regulations (BCZR).

RECEIVED FOR FILING
DATE March 5, 1986
BY [Signature]

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Axelson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing of this Petition held, and for the reasons given above, the requested variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of March, 1986, that the Petition for Zoning Variance to

permit a side yard setback of 6 feet instead of the required 10 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Zoning Commissioner of Baltimore County

AJ/stl
cc: Mr. George O'Connor
People's Counsel

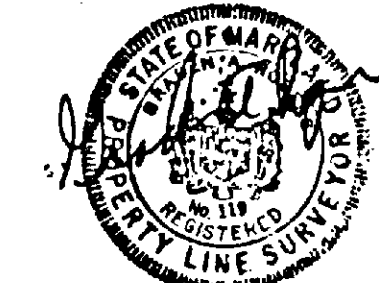
LANDTECH ASSOCIATES, INC.

Surveyors

P.O. BOX 443
GLEN BURNIE, MARYLAND 21061
PHONE 768-2121

Zoning Description of Property
Known as 2913 Rolling Road
2nd Election District
Baltimore County, Maryland

Beginning for the same at the centerline of Rolling Road, at the distance of 660 feet North of the centerline of Windsor Boulevard; thence 1) N 89°16'E - 15.5 feet to a point; thence, 2) N 89°16'E - 421.30 feet to a point; thence, 3) S 32°10'W - 75.00 feet to a point; thence, 4) S 86°02'W - 396.62 feet to a point in the center of said Rolling Road; thence, 5) N 00°47'03"W - 85.34 feet to Place of Beginning. Containing 0.70 Acres of land more or less.



RE: PETITION FOR VARIANCE
E/S Rolling Rd., 660'
N Windsor Blvd. (2913
Rolling Rd.), 2nd Dist.
LINDA GARDNER, et al.,
Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-326-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 5th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Linda Gardner and George O'Connor, 302 Quail Drive, Sykesville, MD 21784. Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

RECEIVED FOR FILING
DATE March 5, 1986
BY [Signature]

RECEIVED FOR FILING
DATE March 5, 1986
BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 19, 1986

Ms. Linda Gardner
Mr. George O'Connor
320 Quail Drive
Sykesville, Maryland 21784

Re: Petition for Zoning Variance
E/S Rolling Rd., 660' N Windsor Blvd.
(2913 Rolling Rd.)
2nd Election District
Linda Gardner, et al - Petitioners
Case No. 86-326-A

Dear Ms. Gardner and Mr. O'Connor:

This is to advise you that \$47.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 013464

more County, Maryland, and rem-
ilding, Towson, Maryland

DATE: 2-2-86 ACCOUNT: 013464

AMOUNT: \$ 47.00

RECEIVED FROM: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, ME., February 13, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 13, 1986

THE JEFFERSONIAN,

JB Venetish
Publisher

Cost of Advertising

86-326-A 22.00

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 2-15-86

Posted for: Variance

Petitioner: Linda Gardner et al

Location of property: E/S Rolling Rd., 660' N Windsor Blvd. (2913 Rolling Rd.)

Location of Sign: [Signature]

Remarks:

Posted by: [Signature] Date of return: 2-21-86

Number of Signs: 1

LEGAL NOTICE

PETITION FOR ZONING VARIANCE
See Section 100.02

LOCATION: East Side of Rolling Road, 660' N Windsor Blvd. (2913 Rolling Rd.)
DATE AND TIME: Monday, March 3, 1986, at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commission of Baltimore County, by authority of the Board of Commissioners of Baltimore County, will hold a public hearing on the petition for a zoning variance to permit a side yard setback of 4 feet on lots of the required 10 feet.

Persons for whom a variance is sought are Linda Gardner, et al, as shown on plan filed with the Zoning Office.

In the event that the Petitioner(s) is/are present, a building permit may be issued on the day of the hearing. The Zoning Commission will consider the petition for a zoning variance at the public hearing on the day of the hearing. If the petition is not presented at the public hearing, the petition will be considered at the next public hearing on the day of the hearing.

By Order of
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

73336

Pikesville, Md., Feb. 12, 1986

CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly published in Pikesville, Baltimore

rylands before the 3rd day of

1986

publication appearing on the

day of Feb., 1986

publication appearing on the

day of 1986

the third publication appearing on the

day of 1986

THE NORTHWEST STAR

John H. H. H.
Manager

Cost of Advertisement \$20.00

86-326-A

Ms. Linda Gardner
Mr. George O'Connor
320 Quail Drive
Sykesville, Maryland 21784

January 31, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
E/S Rolling Rd., 660' N Windsor Blvd.
(2913 Rolling Rd.)
2nd Election District
Linda Gardner, et al - Petitioners
Case No. 86-326-A

TIME: 9:30 a.m.

DATE: Monday, March 3, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012385

DATE: 2-17-86 ACCOUNT: 012385

AMOUNT: \$ 35.00

RECEIVED FROM: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

Director of Zoning
111 W. Chesapeake Avenue
Baltimore, MD 21204

Re: Side Yard Setback at 2913 N. Rolling Road

Dear Sir:

Due to ill health, we will not be able to attend the zoning board meeting on March 3, but would like to file our complaint relating to the above subject by letter.

We, as senior citizens, feel this will be a hardship on us, in as much as our bedroom is approximately 25 feet from the driveway to be used and feel this would cause excessive noise with the comings and goings of two families. We will not oppose, however, Mr. O'Connor's making a driveway on the Northern side of the existing house.

Yours truly,

Carl & Helen Sutton

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 4, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-325-A, 86-291-A, 86-326-A, 86-329-Sph
86-330-A, 86-331-A, 86-332-A and 86-333-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Director

NEG:JG:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 7, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Ms. Linda Gardner, et al
302 Quail Drive
Sykesville, Maryland 21784

RE: Item No. 206 - Case No. 86-326-A
Petitioners - Linda Gardner, et al
Variance Petition

Dear Ms. Gardner:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Landtech Associates, Inc.
P. O. Box 443
Glen Burnie, Maryland 21061

Case No. 85-326-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

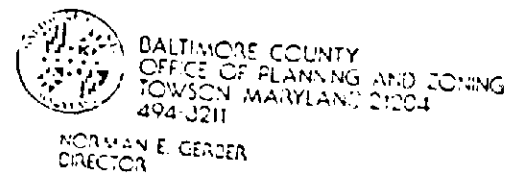
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
27th day of January, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner: Linda Gardner, et al
Petitioner's Attorney:

Received by: *[Signature]*
Chairman, Zoning Plans
Advisory Committee



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

FEBRUARY 4, 1986

Re: Zoning Advisory Meeting of DECEMBER 3, 1985
Item # 206
Property Owner: GEORGE O'CONNOR, et al
Location: 660' N. OF WINDSOR BLVD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangements is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on [blank].
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and its conditions change the evaluated capacity of the intersection. The traffic service areas are evaluated annually by the County Council.

cc: James Russell

Eugene A. Soter
Chief, Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 3, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 190, 191, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, and (206).

MSF/bld

[Signature]
Michael S. Flanagan
Traffic Engineer Associate II



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

December 17, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodati, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: George O'Connor, et al

Location: Centerline of Rolling Road, 660' N of Windsor Boulevard

Item No.: 206

Zoning Agenda: Meeting of December 3, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at [blank]

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: *[Signature]*
Planning Group
Special Inspection Division

Noted and
Approved:

[Signature]
Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 23, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 206 Zoning Advisory Committee Meeting are as follows:

Property Owner: George O'Connor, et al
Location: O/L of Rolling Road, 660' N of Windsor Blvd.
District: 2nd.

APPLICABLE ITEMS ARE CHECKED

() All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Age (A.H.D.A. #17-85) and other applicable Code and Standards.

() A building and other miscellaneous permits shall be required before the start of any construction.

() Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.

() Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

() All the Groups except the Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. For the Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 107, Section 106.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

() The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

() The requested variance appears to conflict with Section(s) [blank] of the Baltimore County Building Code.

() When filing for a required Change of Use/Compliance Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Groups are from Use [blank] to Use [blank] or to Mixed Use. See Section 312 of the Building Code.

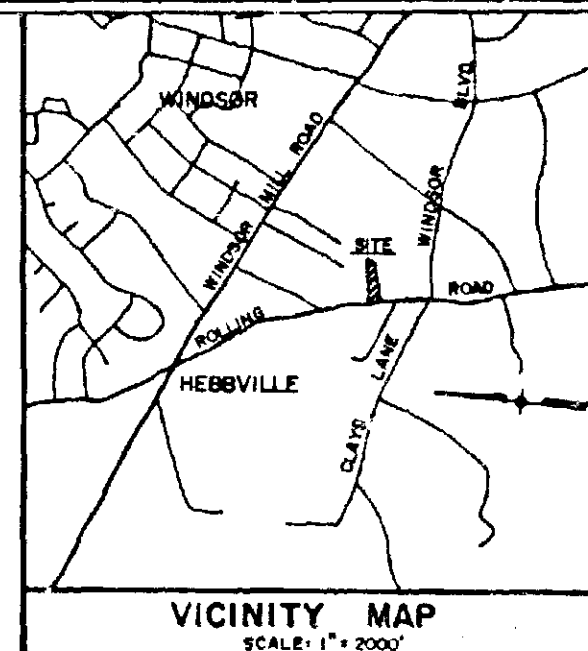
() The proposed project appears to be located in a Flood Plain, Flood Protection. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-79. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

J. Comments:

() These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]
Building Plans Section

L/22/85



BALTIMORE GAS & ELECTRIC
COMPANY
5361/163
ZONING ML-IM

AMOSS
5023/292
P-381
ZONED
DR 5.5

DEITZ
3980/183
ZONED
DR 5.5

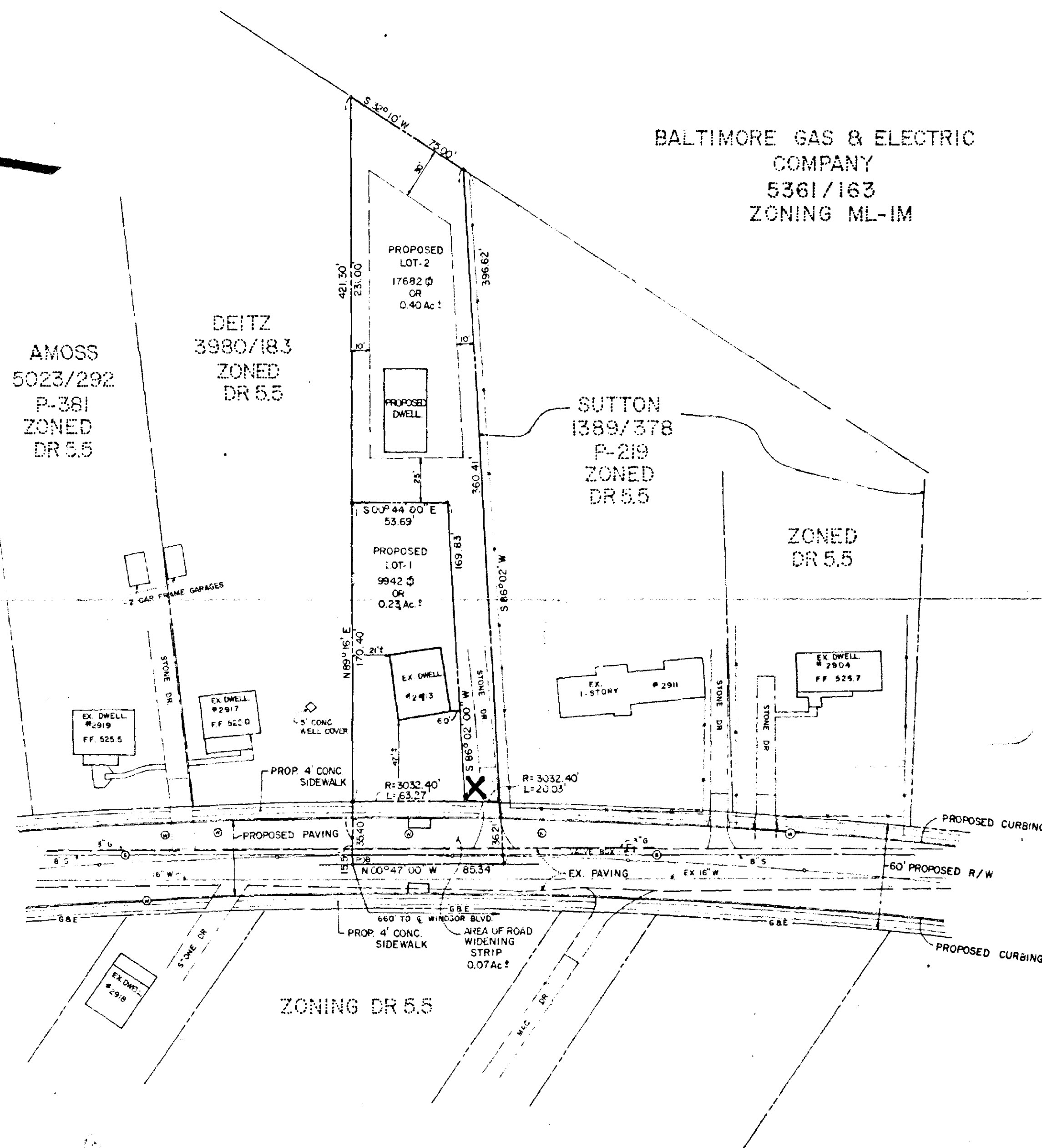
SUTTON
1389/378
P-219
ZONED
DR 5.5

ZONED
DR 5.5

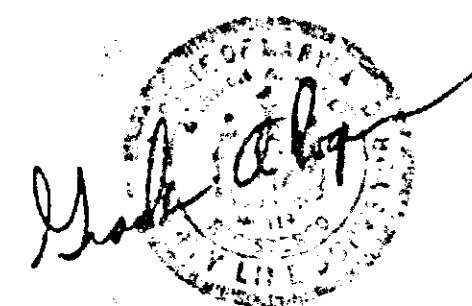
THE PURPOSE OF THIS PLAT IS TO
REQUEST A SIDE YARD SETBACK OF
6' INSTEAD OF THE REQUIRED SET-
BACK OF 10'.

NOTES:

- 1) TAP MAP 87, PARCEL 154
- 2) PUBLIC WATER & PUBLIC SEWER (EXISTING)
- 3) DEED REFERENCE 6699/463
- 4) ZONING MAP 2-B.
- 5) PRESENT ZONING DR 5.5
REQUIRED SETBACKS: FRONT - 25
SIDE - 10
REAR - 30
- 6) DENSITY COMPUTATIONS: GROSS AREA - 0.70 Ac
TOTAL PERMITTED LOTS - 3.85
PROPOSED LOTS - 2.00
- 7) PROPOSED R/W ALIGNMENT FROM TENTATIVE
BALTIMORE COUNTY DEPARTMENT OF PUBLIC
WORKS PLANS.



PLATTEONER'S
EXHIBIT 1



PLAT FOR ZONING VARIANCE
PROPERTY KNOWN AS
2913 ROLLING ROAD

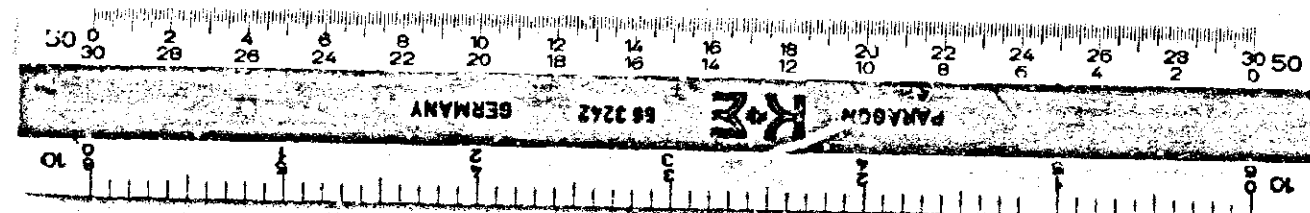
2ND ELECTION DISTRICT BALTIMORE CO., MD.
SCALE: 1" = 50' DATE: 11-21-85

MSC 85 503

206
LANDTECH
ASSOCIATES, INC.

1811 BOLLINGER ROAD
WESTMINSTER, MD. 21157

OWNER/DEVELOPER
LINDA M. GARDNER AND GEORGE O'CONNER
302 QUAIL DRIVE SYKESVILLE, MD 21784
795-0560



MAP 10-4
28
E.D. 2
DATE 1-10-86
COO
ICCD
DP

Linda Gardner, et al
E/S Rolling Rd., 660' N Windsor Blvd.
Dist. (2913 Rolling Rd.) 2nd Dist.

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3.C.1 to permit a side yard setback of 6 feet instead of the required 10 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

- 1) Owner wishes to subdivide property into two lots.
- 2) Baltimore County Regulations require a 20 foot access strip to proposed lot.
- 3) Existing dwelling is 26'± from the southern property line. Thus leaving a 6' side setback instead of the required 10'.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Arney's Telephone No.:
Address
City and State
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 3rd day of March, 1986, at 9:30 o'clock.

Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING VARIANCE

2nd Election District

LOCATION: East Side of Rolling Road, 660 feet North of Windsor Boulevard (2913 Rolling Road)

DATE AND TIME: Monday, March 3, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 6 feet in lieu of the required 10 feet.

Being the property of Linda Gardner, et al, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JARLOW
ZONING COMMISSIONER
OF BALTIMORE COUNTY

IN RE: PETITION ZONING VARIANCE
E/S of Rolling Road, 660',
N of Windsor Boulevard
(2913 Rolling Road) -
2nd Election District
Linda Gardner, et al,
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-326-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 6 feet instead of the required 10 feet, as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared and testified. Graden A. Rogers, a registered land surveyor, also testified on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.5.5 and containing 0.7 acres, is located on Rolling Road near Windsor Boulevard and is improved with a dwelling. The Petitioners propose to subdivide the property into two lots, i.e., one to the rear of the other. Access to the rear lot will be provided by a 20-foot-wide fee simple access drive, the minimum width permitted by the County's design standard. Lot 1 will measure approximately 63' x 170' x 54' x 170' and the access drive will adjoin its south property line. Since the access drive will usurp the required land area, the existing house, which is located on Lot 1 and fronts on Rolling Road, will need a side yard variance to the south property line. Without the variance, the property cannot be subdivided.

The Petitioners seek relief from Section 1B02.3.C.1, pursuant to Section 307 Baltimore County Zoning Regulations (BCZR).

RECEIVED FOR FILING
DATE March 5, 1986
BY [Signature]

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Axelson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing of this Petition held, and for the reasons given above, the requested variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of March, 1986, that the Petition for Zoning Variance to

permit a side yard setback of 6 feet instead of the required 10 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Zoning Commissioner of Baltimore County

AJ/stl
cc: Mr. George O'Connor
People's Counsel

LANDTECH ASSOCIATES, INC.

Surveyors

P.O. BOX 443
GLEN BURNIE, MARYLAND 21061
PHONE 768-2121

Zoning Description of Property
Known as 2913 Rolling Road
2nd Election District
Baltimore County, Maryland

Beginning for the same at the centerline of Rolling Road, at the distance of 660 feet North of the centerline of Windsor Boulevard; thence 1) N 89°16'E - 15.5 feet to a point; thence, 2) N 89°16'E - 421.30 feet to a point; thence, 3) S 32°10'W - 75.00 feet to a point; thence, 4) S 86°02'W - 396.62 feet to a point in the center of said Rolling Road; thence, 5) N 00°47'03"W - 85.34 feet to Place of Beginning. Containing 0.70 Acres of land more or less.



RE: PETITION FOR VARIANCE
E/S Rolling Rd., 660'
N Windsor Blvd. (2913
Rolling Rd.), 2nd Dist.
LINDA GARDNER, et al.,
Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-326-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 5th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Linda Gardner and George O'Connor, 302 Quail Drive, Sykesville, MD 21784. Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

RECEIVED FOR FILING
DATE March 5, 1986
BY [Signature]

RECEIVED FOR FILING
DATE March 5, 1986
BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 19, 1986

Ms. Linda Gardner
Mr. George O'Connor
320 Quail Drive
Sykesville, Maryland 21784

Re: Petition for Zoning Variance
E/S Rolling Rd., 660' N Windsor Blvd.
(2913 Rolling Rd.)
2nd Election District
Linda Gardner, et al - Petitioners
Case No. 86-326-A

Dear Ms. Gardner and Mr. O'Connor:

This is to advise you that \$47.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 013464

more County, Maryland, and rem-
ilding, Towson, Maryland

DATE: 2-2-86 ACCOUNT: 013464

AMOUNT: \$ 47.00

RECEIVED FROM: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, ME., February 13, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 13, 1986

THE JEFFERSONIAN,

JB Venetish
Publisher

Cost of Advertising

86-326-A 22.00

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 2-15-86

Posted for: Variance

Petitioner: Linda Gardner et al

Location of property: E/S Rolling Rd., 660' N Windsor Blvd. (2913 Rolling Rd.)

Location of Sign: [Signature]

Remarks:

Posted by: [Signature] Date of return: 2-21-86

Number of Signs: 1

LEGAL NOTICE

PETITION FOR ZONING VARIANCE
See Section 100.02

LOCATION: East Side of Rolling Road, 660' N Windsor Blvd. (2913 Rolling Rd.)
DATE AND TIME: Monday, March 3, 1986, at 9:30 A.M.

PLACE: 106th Street, Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance to permit a side yard setback of 4 feet in front of the proposed lot.

Being the property of Linda Gardner, et al, as shown on plat filed with the Zoning Office.

In the event that the Petitioner(s) is/are present, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will consider the appeal and make a decision on the appeal at the hearing. If the appeal is denied, the Petitioner(s) must file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

73336

Pikesville, Md., Feb. 12, 1986

CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly published in Pikesville, Baltimore

rylands before the 3rd day of

1986

publication appearing on the

day of Feb., 1986

publication appearing on the

day of 1986

the third publication appearing on the

day of 1986

THE NORTHWEST STAR

John H. Hefner
Manager

Cost of Advertisement \$20.00

86-326-A

Ms. Linda Gardner
Mr. George O'Connor
320 Quail Drive
Sykesville, Maryland 21784

January 31, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
E/S Rolling Rd., 660' N Windsor Blvd.
(2913 Rolling Rd.)
2nd Election District
Linda Gardner, et al - Petitioners
Case No. 86-326-A

TIME: 9:30 a.m.

DATE: Monday, March 3, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012385

DATE: 2-17-86 ACCOUNT: 012385

AMOUNT: \$ 35.00

RECEIVED FROM: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

Director of Zoning
111 W. Chesapeake Avenue
Baltimore, MD 21204

Re: Side Yard Setback at 2913 N. Rolling Road

Dear Sir:

Due to ill health, we will not be able to attend the zoning board meeting on March 3, but would like to file our complaint relating to the above subject by letter.

We, as senior citizens, feel this will be a hardship on us, in as much as our bedroom is approximately 25 feet from the driveway to be used and feel this would cause excessive noise with the comings and goings of two families. We will not oppose, however, Mr. O'Connor's making a driveway on the Northern side of the existing house.

Yours truly,

Carl & Helen Sutton

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 4, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-325-A, 86-291-A, 86-326-A, 86-329-Sph
86-330-A, 86-331-A, 86-332-A and 86-333-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Director

NEG:JG:slm

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 7, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Ms. Linda Gardner, et al
302 Quail Drive
Sykesville, Maryland 21784

RE: Item No. 206 - Case No. 86-326-A
Petitioners - Linda Gardner, et al
Variance Petition

Dear Ms. Gardner:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Landtech Associates, Inc.
P. O. Box 443
Glen Burnie, Maryland 21061

Case No. 85-326-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

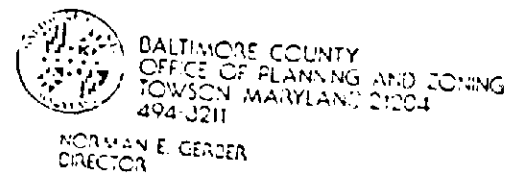
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
27th day of January, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner: Linda Gardner, et al
Petitioner's Attorney:

Received by: [Signature]
Chairman, Zoning Plans
Advisory Committee



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

FEBRUARY 4, 1986

Re: Zoning Advisory Meeting of DECEMBER 3, 1985
Item # 206
Property Owner: GEORGE O'CONNOR, et al
Location: 660' N. OF WINDSOR BLVD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangements are not satisfactory.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on [blank].
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and its conditions change the evaluated capacity of the intersection. The traffic service areas are evaluated annually by the County Council.

cc: James Russell

Eugene A. Soter
Chief, Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 3, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 190, 191, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, and (206).

MSF/bld

Michael S. Flanigan
Traffic Engineer Associate II



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

December 17, 1985

PAUL H. REINCKE
CHIEF

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodati, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: George O'Connor, et al

Location: Centerline of Rolling Road, 660' N of Windsor Boulevard

Item No.: 206

Zoning Agenda: Meeting of December 3, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at [blank] EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: [Signature]
Planning Group
Special Inspection Division

Noted and
Approved:

[Signature]
Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 23, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 206 Zoning Advisory Committee Meeting are as follows:

Property Owner: George O'Connor, et al
Location: O/L of Rolling Road, 660' N of Windsor Blvd.
District: 2nd.

APPLICABLE ITEMS ARE CHECKED

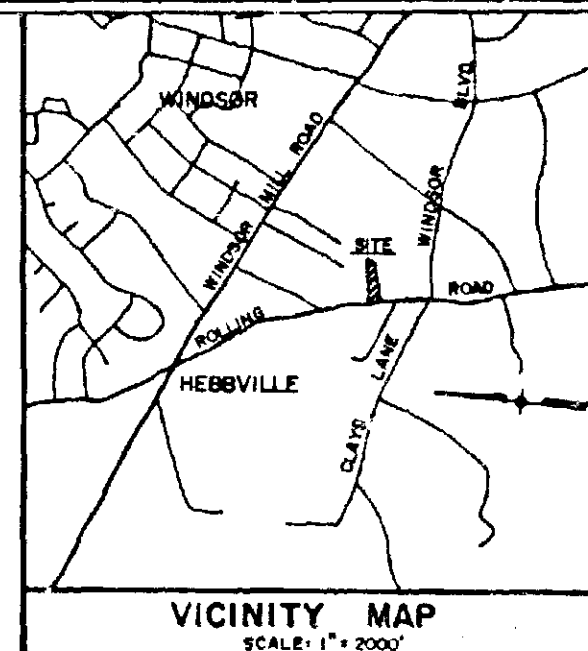
- () All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Age (A.H.D.A. #17-85) and other applicable Code and Standards.
- () A building and other miscellaneous permits shall be required before the start of any construction.
- () Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
- () Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- () All the Groups except B-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. B-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 107, Section 106.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- () The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- () The requested variance appears to conflict with Section(s) [blank] of the Baltimore County Building Code.
- () When filing for a required Change of Use/Compliance Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Groups are from Use [blank] to Use [blank] or to Mixed Use. See Section 312 of the Building Code.
- () The proposed project appears to be located in a Flood Plain, Flood Protection. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-79. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

J. Comments:

These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]
Building Plans Section

1/22/86



BALTIMORE GAS & ELECTRIC
COMPANY
5361/163
ZONING ML-IM

AMOSS
5023/292
P-381
ZONED
DR 5.5

DEITZ
3980/183
ZONED
DR 5.5

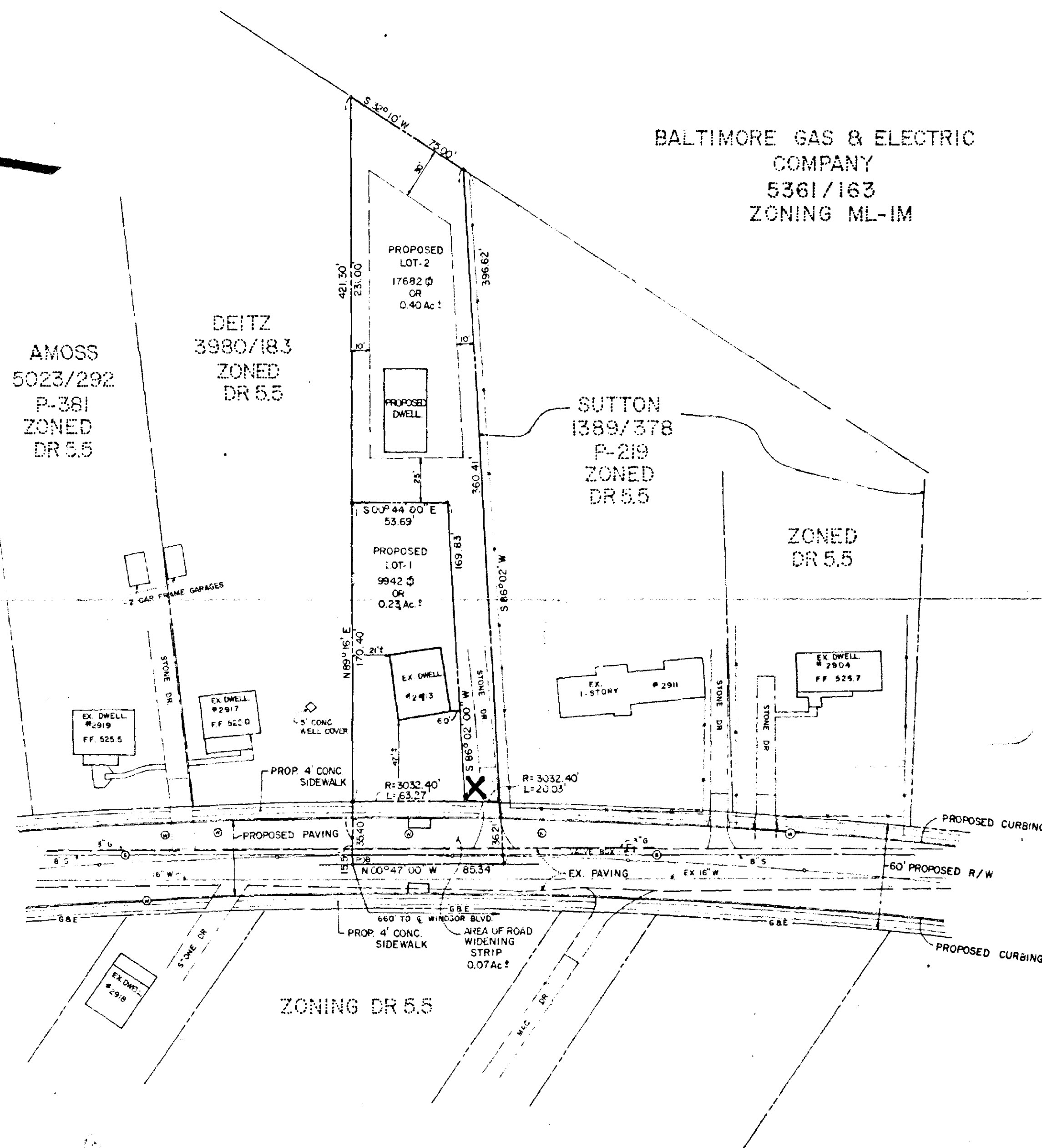
SUTTON
1389/378
P-219
ZONED
DR 5.5

ZONED
DR 5.5

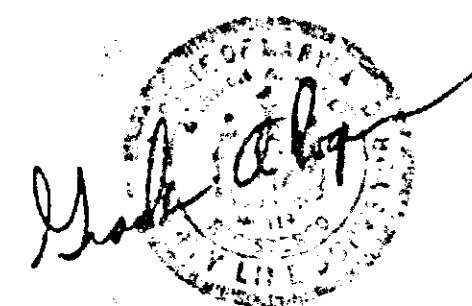
THE PURPOSE OF THIS PLAT IS TO
REQUEST A SIDE YARD SETBACK OF
6' INSTEAD OF THE REQUIRED SET-
BACK OF 10'.

NOTES:

- 1) TAP MAP 87, PARCEL 154
- 2) PUBLIC WATER & PUBLIC SEWER (EXISTING)
- 3) DEED REFERENCE 6699/463
- 4) ZONING MAP 2-B.
- 5) PRESENT ZONING DR 5.5
REQUIRED SETBACKS: FRONT - 25
SIDE - 10
REAR - 30
- 6) DENSITY COMPUTATIONS: GROSS AREA - 0.70 Ac
TOTAL PERMITTED LOTS - 3.85
PROPOSED LOTS - 2.00
- 7) PROPOSED R/W ALIGNMENT FROM TENTATIVE
BALTIMORE COUNTY DEPARTMENT OF PUBLIC
WORKS PLANS.



PLATTEONER'S
EXHIBIT 1



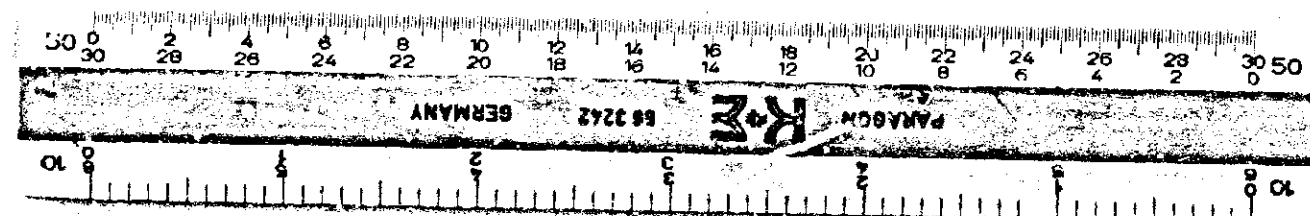
PLAT FOR ZONING VARIANCE
PROPERTY KNOWN AS
2913 ROLLING ROAD

2ND ELECTION DISTRICT BALTIMORE CO., MD.
SCALE: 1" = 50' DATE: 11-21-85

206
LANDTECH
ASSOCIATES, INC.

1811 BOLLINGER ROAD
WESTMINSTER, MD. 21157

OWNER/DEVELOPER
LINDA M. GARDNER AND GEORGE O'CONNER
302 QUAIL DRIVE SYKESVILLE, MD 21784
795-0560



MSC 85 503

MAP 10-4
28
E.D. 2
DATE 1-10-86
COO
ICCD
DP

Linda Gardner, et al
E/S Rolling Rd., 660' N Windsor Blvd.
Dist. (2913 Rolling Rd.) 2nd Dist.

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1B02.3.C.1 to permit a side yard setback of 6 feet instead of the required 10 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

- 1) Owner wishes to subdivide property into two lots.
- 2) Baltimore County Regulations require a 20 foot access strip to proposed lot.
- 3) Existing dwelling is 26'± from the southern property line. Thus leaving a 6' side setback instead of the required 10'.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Arney's Telephone No.:
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of January, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 3rd day of March, 1986, at 9:30 o'clock.

Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING VARIANCE

2nd Election District

LOCATION: East Side of Rolling Road, 660 feet North of Windsor Boulevard (2913 Rolling Road)

DATE AND TIME: Monday, March 3, 1986, at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 6 feet in lieu of the required 10 feet.

Being the property of Linda Gardner, et al, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JARLOW
ZONING COMMISSIONER
OF BALTIMORE COUNTY

IN RE: PETITION ZONING VARIANCE
E/S of Rolling Road, 660',
N of Windsor Boulevard
(2913 Rolling Road) -
2nd Election District
Linda Gardner, et al,
Petitioners
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-326-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 6 feet instead of the required 10 feet, as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared and testified. Graden A. Rogers, a registered land surveyor, also testified on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.5.5 and containing 0.7 acres, is located on Rolling Road near Windsor Boulevard and is improved with a dwelling. The Petitioners propose to subdivide the property into two lots, i.e., one to the rear of the other. Access to the rear lot will be provided by a 20-foot-wide fee simple access drive, the minimum width permitted by the County's design standard. Lot 1 will measure approximately 63' x 170' x 54' x 170' and the access drive will adjoin its south property line. Since the access drive will usurp the required land area, the existing house, which is located on Lot 1 and fronts on Rolling Road, will need a side yard variance to the south property line. Without the variance, the property cannot be subdivided.

The Petitioners seek relief from Section 1B02.3.C.1, pursuant to Section 307 Baltimore County Zoning Regulations (BCZR).

RECEIVED FOR FILING
DATE March 5, 1986
BY [Signature]

An area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

1. whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
2. whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
3. whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Axelson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the instant variance were not granted. It has been established that the requirement from which the Petitioners seek relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing of this Petition held, and for the reasons given above, the requested variance should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 5th day of March, 1986, that the Petition for Zoning Variance to

permit a side yard setback of 6 feet instead of the required 10 feet be and is hereby GRANTED, from and after the date of this Order, subject to the following:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Zoning Commissioner of Baltimore County

AJ/stl
cc: Mr. George O'Connor
People's Counsel

LANDTECH ASSOCIATES, INC.

Surveyors

P.O. BOX 443
GLEN BURNIE, MARYLAND 21061
PHONE 768-2121

Zoning Description of Property
Known as 2913 Rolling Road
2nd Election District
Baltimore County, Maryland

Beginning for the same at the centerline of Rolling Road, at the distance of 660 feet North of the centerline of Windsor Boulevard; thence 1) N 89°16'E - 15.5 feet to a point; thence, 2) N 89°16'E - 421.30 feet to a point; thence, 3) S 32°10'W - 75.00 feet to a point; thence, 4) S 86°02'W - 396.62 feet to a point in the center of said Rolling Road; thence, 5) N 00°47'03"W - 85.34 feet to Place of Beginning. Containing 0.70 Acres of land more or less.



RE: PETITION FOR VARIANCE
E/S Rolling Rd., 660'
N Windsor Blvd. (2913
Rolling Rd.), 2nd Dist.
LINDA GARDNER, et al.,
Petitioners
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-326-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 5th day of February, 1986, a copy of the foregoing Entry of Appearance was mailed to Linda Gardner and George O'Connor, 302 Quail Drive, Sykesville, MD 21784. Petitioners.

Peter Max Zimmerman
Peter Max Zimmerman

RECEIVED FOR FILING
DATE March 5, 1986
BY [Signature]

RECEIVED FOR FILING
DATE March 5, 1986
BY [Signature]

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

February 19, 1986

Ms. Linda Gardner
Mr. George O'Connor
320 Quail Drive
Sykesville, Maryland 21784

Re: Petition for Zoning Variance
E/S Rolling Rd., 660' N Windsor Blvd.
(2913 Rolling Rd.)
2nd Election District
Linda Gardner, et al - Petitioners
Case No. 86-326-A

Dear Ms. Gardner and Mr. O'Connor:

This is to advise you that \$47.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 013464

more County, Maryland, and rem-
ilding, Towson, Maryland

DATE: 2-2-86 ACCOUNT: 013464

AMOUNT: \$ 47.00

RECEIVED FROM: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF PUBLICATION

TOWSON, ME., February 13, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 13, 1986

THE JEFFERSONIAN,

JB Venetish
Publisher

Cost of Advertising

86-326-A 22.00

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 2-15-86

Posted for: Variance

Petitioner: Linda Gardner et al

Location of property: E/S Rolling Rd., 660' N Windsor Blvd. (2913 Rolling Rd.)

Location of Sign: [Signature]

Remarks:

Posted by: [Signature] Date of return: 2-21-86

Number of Signs: 1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: February 4, 1986

Norman E. Gerber, AICP, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions No. 86-325-A, 86-291-A, 86-326-A, 86-329-Sph
86-330-A, 86-331-A, 86-332-A and 86-333-A

There are no comprehensive planning factors requiring comment on these petitions.

Norman E. Gerber
Director

NEG:JG:slm

LEGAL NOTICE

PETITION FOR ZONING VARIANCE
See Section 100.01

LOCATION: East Side of Rolling Road, 660' N Windsor Blvd. (2913 Rolling Rd.)

DATE AND TIME: Monday, March 3, 1986, at 9:30 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Board of Zoning Appeals, has received a petition for a zoning variance from Linda Gardner, et al, to permit a side yard setback of 4 feet on lots of the property to be located at the intersection of Rolling Road and Windsor Blvd.

Persons for whom a variance is sought are advised that they must appear at the public hearing and be prepared to answer questions and to defend their petition.

Should the property of Linda Gardner, et al, be shown on the plan filed with the Zoning Office

In the event that the Petitioner is granted a building permit, the variance shall be in effect for a period of one year from the date of the hearing. The Zoning Commissioner will review the variance at the end of the one year period. If the variance is not renewed, it shall be null and void.

Cost of Advertising: \$20.00

CERTIFICATE OF PUBLICATION

73336

Pikesville, Md., Feb. 12, 1986

CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly published in Pikesville, Baltimore

rylands before the 3rd day of February, 1986

publication appearing on the day of Feb., 1986

publication appearing on the day of Feb., 1986

the third publication appearing on the day of Feb., 1986

THE NORTHWEST STAR

John H. Hefner
Manager

Cost of Advertisement \$20.00

86-326-A

Ms. Linda Gardner
Mr. George O'Connor
320 Quail Drive
Sykesville, Maryland 21784

January 31, 1986

NOTICE OF HEARING

RE: PETITION FOR ZONING VARIANCE
E/S Rolling Rd., 660' N Windsor Blvd.
(2913 Rolling Rd.)
2nd Election District
Linda Gardner, et al - Petitioners
Case No. 86-326-A

TIME: 9:30 a.m.

DATE: Monday, March 3, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Arnold Jablon
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 012385

DATE: 2-17-86 ACCOUNT: 012385

AMOUNT: \$ 35.00

RECEIVED FROM: [Signature]

FOR: [Signature]

VALIDATION OR SIGNATURE OF CASHIER

Director of Zoning
111 W. Chesapeake Avenue
Baltimore, MD 21204

Re: Side Yard Setback at 2913 N. Rolling Road

Dear Sir:

Due to ill health, we will not be able to attend the zoning board meeting on March 3, but would like to file our complaint relating to the above subject by letter.

We, as senior citizens, feel this will be a hardship on us, in as much as our bedroom is approximately 25 feet from the driveway to be used and feel this would cause excessive noise with the comings and goings of two families. We will not oppose, however, Mr. O'Connor's making a driveway on the Northern side of the existing house.

Yours truly,

Carl & Helen Sutton

2911 N. Rolling Road
Baltimore, MD 21207
Carl & Helen Sutton
Case No. 86-326-A
Linda Gardner, et al

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 7, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Ms. Linda Gardner, et al
302 Quail Drive
Sykesville, Maryland 21784

RE: Item No. 206 - Case No. 86-326-A
Petitioners - Linda Gardner, et al
Variance Petition

Dear Ms. Gardner:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Landtech Associates, Inc.
P. O. Box 443
Glen Burnie, Maryland 21061

Case No. 85-326-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

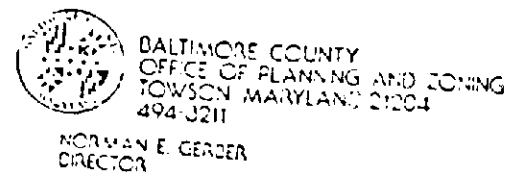
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
27th day of January, 1986.

ARNOLD JABLON
Zoning Commissioner

Petitioner: Linda Gardner, et al
Petitioner's Attorney:

Received by: *[Signature]*
Chairman, Zoning Plans
Advisory Committee



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

FEBRUARY 4, 1986

Re: Zoning Advisory Meeting of DECEMBER 3, 1985
Item # 206
Property Owner: GEORGE O'CONNOR, et al
Location: 660' N. OF WINDSOR BLVD.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangements is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on [blank].
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual, Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is [blank].
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and its conditions change the evaluated capacity may become more limited. The traffic services areas are evaluated annually by the County Council.

cc: James Russell

Eugene A. Soter
Chief, Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

January 7, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC- Meeting of November 3, 1985
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 190, 191, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, and (206).

MSF/bld

[Signature]
Michael S. Flanigan
Traffic Engineer Associate II



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

December 17, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodati, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: George O'Connor, et al

Location: Centerline of Rolling Road, 660' N of Windsor Boulevard

Item No.: 206

Zoning Agenda: Meeting of December 3, 1985

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 750 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at [blank]

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: *[Signature]*
Planning Group
Special Inspection Division

Noted and
Approved:

[Signature]
Fire Prevention Bureau

/mb



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

December 23, 1985

TED ZALESKI, JR.
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 206 Zoning Advisory Committee Meeting are as follows:

Property Owner: George O'Connor, et al
Location: O/L of Rolling Road, 660' N of Windsor Blvd.
District: 2nd.

APPLICABLE ITEMS ARE CHECKED

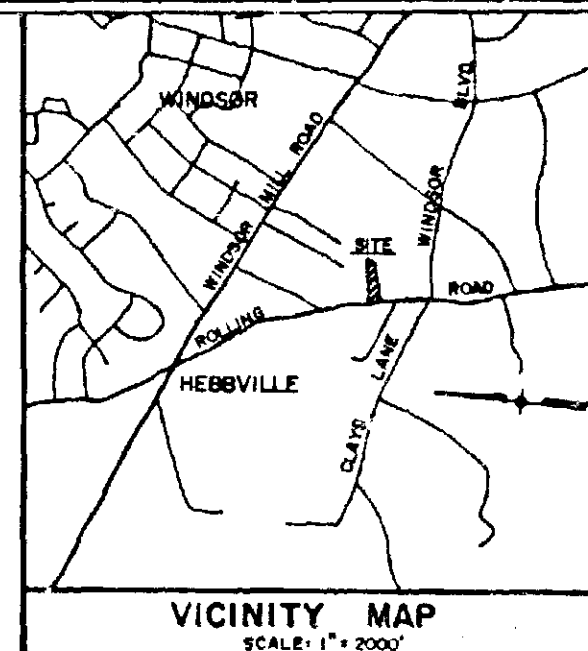
- ☒ All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Age (A.H.D.A. #17-85 - 1980) and other applicable Code and Standards.
- ☒ A building and other miscellaneous permits shall be required before the start of any construction.
- ☒ Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/are not required on plans and technical data.
- ☒ Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.
- ☒ All the Groups except R-1 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-1 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 107, Section 106.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.
- ☒ The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.
- ☒ The requested variance appears to conflict with Section(s) [blank] of the Baltimore County Building Code.
- ☒ When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of the Groups are from Use [blank] to Use [blank] or to Mixed Use. See Section 312 of the Building Code.
- ☒ The proposed project appears to be located in a Flood Plain, Flood Protection. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-79. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

J. Comments:

These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 102 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]
Building Plans Section

1/22/86



BALTIMORE GAS & ELECTRIC
COMPANY
5361/163
ZONING ML-IM

AMOSS
5023/292
P-381
ZONED
DR 5.5

DEITZ
3980/183
ZONED
DR 5.5

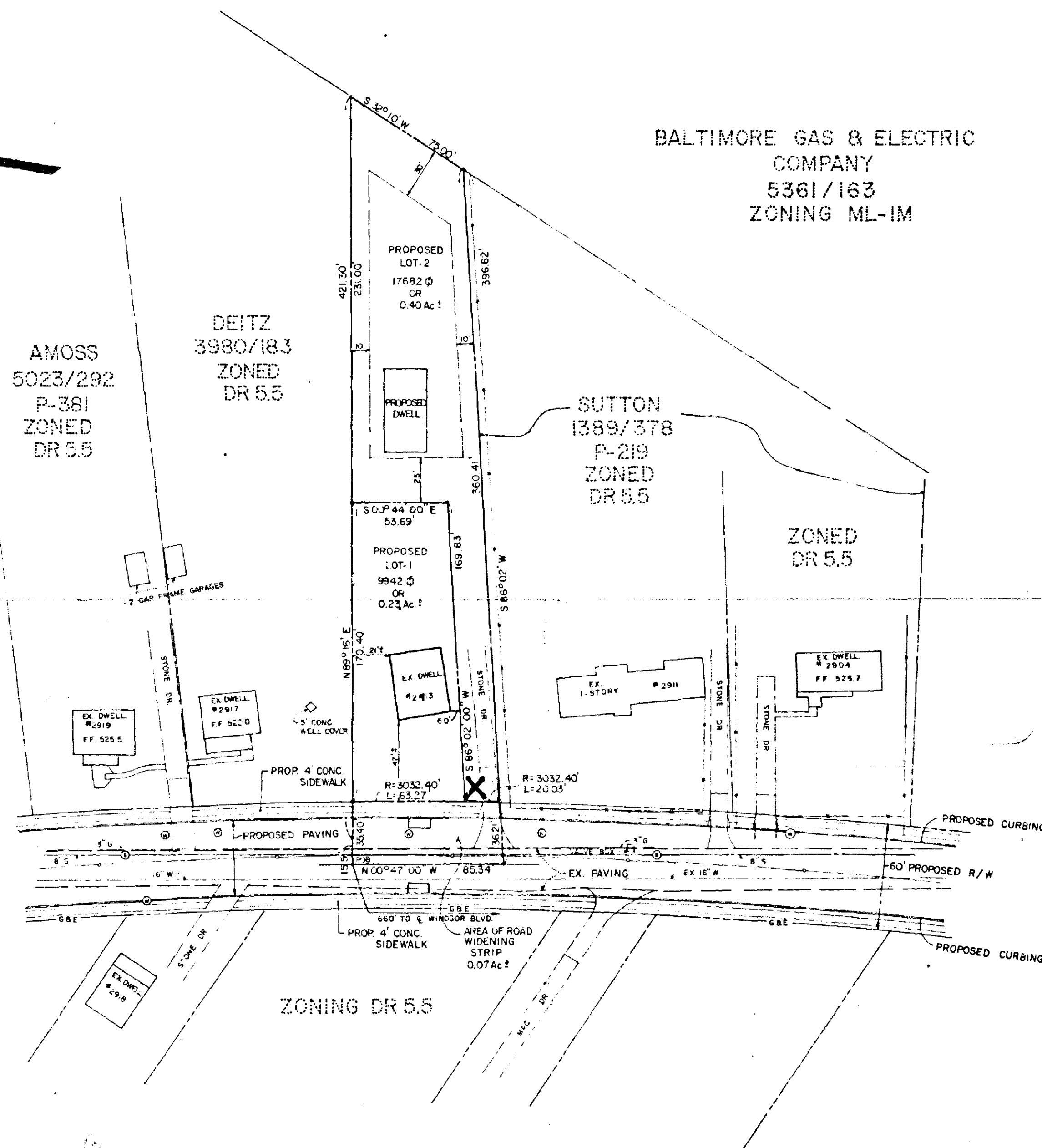
SUTTON
1389/378
P-219
ZONED
DR 5.5

ZONED
DR 5.5

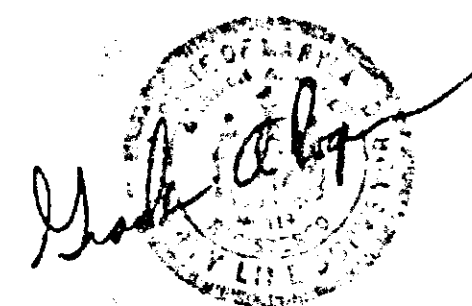
THE PURPOSE OF THIS PLAT IS TO
REQUEST A SIDE YARD SETBACK OF
6' INSTEAD OF THE REQUIRED SET-
BACK OF 10'.

NOTES:

- 1) TAP MAP 87, PARCEL 154
- 2) PUBLIC WATER & PUBLIC SEWER (EXISTING)
- 3) DEED REFERENCE 6699/463
- 4) ZONING MAP 2-B.
- 5) PRESENT ZONING DR 5.5
REQUIRED SETBACKS: FRONT-25
SIDE -10
REAR -30
- 6) DENSITY COMPUTATIONS: GROSS AREA - 0.70Ac
TOTAL PERMITTED LOTS - 3.85
PROPOSED LOTS - 2.00
- 7) PROPOSED R/W ALIGNMENT FROM TENTATIVE
BALTIMORE COUNTY DEPARTMENT OF PUBLIC
WORKS PLANS.



PLATTEONER'S
EXHIBIT 1



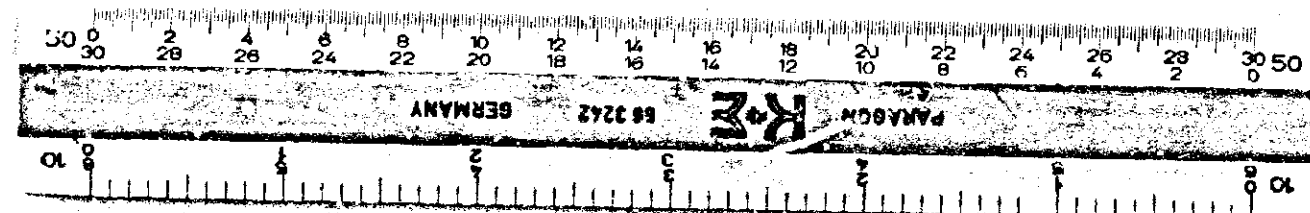
PLAT FOR ZONING VARIANCE
PROPERTY KNOWN AS
2913 ROLLING ROAD

2ND ELECTION DISTRICT BALTIMORE CO., MD.
SCALE: 1" = 50' DATE: 11-21-85

206
LANDTECH
ASSOCIATES, INC.

1811 BOLLINGER ROAD
WESTMINSTER, MD. 21157

OWNER/DEVELOPER
LINDA M. GARDNER AND GEORGE O'CONNER
302 QUAIL DRIVE SYKESVILLE, MD 21784
795-0560



MSC 85 503